

REMARKS

Claims 1, 2, 4-6, 9-15, 19-22, 35-37, 39-44, 46-48, and 50 are pending. Claims 1, 12, 22, and 46 have been amended and claims 3, 7, 8, 16-18, 23-34, 38, 45, and 49 have been canceled.

In the Office Action, claims 1, 2, 4-6, 9-15, 19-22, 35-37, 39-45, and 47-50 were rejected under 35 USC § 102(e) for being anticipated by the Shteyn patent. Applicants respectfully request the Examiner to withdraw this rejection for the following reasons.

Claim 1 has been amended to more specifically recite at least one pre-condition to transmitting the second type of information: “continuously receiving information derived from reception by a mobile communication network of a pilot signal from the customer’s terminal to confirm a location of the customer within the building, said confirmation serving as a pre-condition to transmitting the sudden information to the customer’s terminal.” The Shteyn patent does not disclose these features.

The Shteyn patent discloses transmitting information on a variety of shops in a mall to a customer’s mobile terminal when the customer walks into the mall. The information is transmitted by beacons located throughout the mall in certain geographic areas. When the customer’s terminal comes into range within one of the beacons, that beacon transmits information on sales in specific stores.

The beacons of Shteyn are passive devices that transmit information (in a facilitation signals) either unconditionally or based on whether information in a user profile stored in the

customer's terminal matches the store information to be transmitted. Unlike claim 1, the Shteyn patent does not disclose "continuously receiving information derived from reception by a mobile communication network of a pilot signal from the customer's terminal to confirm a location of the customer within the building." The Shteyn patent also fails to disclose that said confirmation serves "as a pre-condition to transmitting the sudden information to the customer's terminal."

Without a disclosure of these features, the Shteyn patent cannot anticipate claim 1 or any of its dependent claims.

Furthermore, it is noted that the features added by amendment to claim 1 derive from claim 46, which was rejected under 35 USC § 103(a) based on a Shteyn-Johnson combination. The Johnson patent, however, does not teach or suggest the features added by amendment to claim 1 as derived from claim 46.

The Johnson patent discloses determining the location of a mobile terminal in a grocery store based on a triangulation method. However, claim 1 recites confirming the location of a customer's mobile terminal within the building by "continuously receiving information derived from reception by a mobile communication network of a pilot signal from the customer's terminal." The triangulation method of Johnson does not taken into consideration a pilot signal received by a mobile communication network as a basis for confirming the location of a customer terminal. Accordingly, Johnson does not teach or suggest the features of claim 1 missing from the Shteyn patent.

Based on these differences, it is respectfully submitted that claim 1 is allowable along with its dependent claims. Claims 12 and 22 recite features similar to those which patentably distinguish claim 1 from the Shteyn patent, whether taken alone or in combination with the Johnson patent. Accordingly, it is respectfully submitted that claims 12, 22, and their dependent claims are also allowable.

Claim 47 recites that “the data transmission server automatically radio-transmits the first type of information in response to a customer request for the first type of information.” These features are not disclosed by the Shteyn patent. Rather, Shteyn discloses that beacons 402-408 are passive devices that transmit facilitation signals to customer terminals in a mall. Each of the beacons transmit this information either constantly or based on information contained in a customer profile. The Shteyn patent does not disclose that the beacons transmit information on shops conditionally in response to a customer request.

Moreover, the Examiner relied on the disclosure at Column 4, lines 17-22, to supply the features of claim 47. However, this portion of Shteyn discloses allowing a user to select a context filter stored within his mobile phone. The context filter is used in searching the customer’s user profile as a pre-condition to transmitting shop information to his phone. The selection of a context filter, however, does not constitute transmission of a customer request for receiving ship information, and therefore it is respectfully submitted that the subject matter of claim 47 is still

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omitted from the Shteyn patent. Allowance of claim 47 is respectfully requested for these reasons.

Claim 48 recites that “the customer request is made based on the customer’s manipulation of the mobile terminal or the data transmission server.” The Shteyn patent does not disclose the customer request of claim 47. It therefore logically follows that Shteyn also fails to disclose the features of claim 48, which features are predicated on a customer request.

Claim 49 recites that “said request is generated based on customer manipulation of the mobile terminal of the customer or a data transmission server in the building.” For similar reasons, it is respectfully submitted that Shteyn also does not disclose these features, e.g., since these features are also based on a customer request.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application are respectfully requested.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and

please credit any excess fees to such deposit account.

Respectfully submitted,



Daniel Y.J. Kim
Registration No. 36,186

Samuel W. Ntiros
Registration No. 39,318

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3777 DYK:SWN:ldh:kw

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Please direct all correspondence to Customer Number 34610